

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RUBEN ESCANO,

Plaintiffs,

v.

CV No. 21-223 MV/CG

CONCORD AUTO PROTECT, INC., et al.,

Defendants.

ORDER DENYING MOTION TO EXTEND SUPPLEMENTAL BRIEFING DEADLINE

THIS MATTER is before the Court on Plaintiff Ruben Escano's unopposed *Motion for Enlargement of Time to File Supplemental Evidence Pertaining to Service Requirements as to Defendants Concord Auto Protect, Inc. and Alon Salman* (the "Motion to Enlarge"), (Doc. 66), filed September 14, 2021.

On August 11, 2021, Mr. Escano filed a *Motion for Default Judgment as to Defendant Concord Auto Protect, Inc. and Defendant Alon Salman*, (the "Motion for Default Judgment") (Doc. 63). On September 3, 2021, the Court ordered Mr. Escano to "provide the Court with supplemental evidence showing that he has satisfied the requisite service requirements" in connection with his Motion for Default Judgment by September 15, 2021. (Doc. 65 at 3). Now, in his Motion to Enlarge, Mr. Escano asks that the Court extend the deadline for him to provide supplemental briefing to October 11, 2021. (Doc. 66 at 2). He explains that he "anticipates that service requirements will be satisfied on or before that date." *Id.*

Given Mr. Escano's admission in the Motion to Enlarge that service has not yet been perfected as to Defendants Concord Auto Protect, Inc. and Alon Salman, this Court filed *Proposed Findings and Recommended Disposition* (the "PFRD"), (Doc. 67),

on September 17, 2021, recommending that the presiding judge deny without prejudice Mr. Escano's Motion for Default Judgment, and permit him to perfect service on these defendants by October 31, 2021. As such, the Court will **DENY** Mr. Escano's Motion to Enlarge.

IT IS THEREFORE ORDERED that Mr. Escano's *Motion for Enlargement of Time to File Supplemental Evidence Pertaining to Service Requirements as to Defendants Concord Auto Protect, Inc. and Alon Salman*, (Doc. 66), is **DENIED**.

IT IS SO ORDERED.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE